

UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

UNITED STATES OF AMERICA)
)
 v.) Cr. No. 05-40011-FDS
)
 ANDRE ROSADO)
 Defendant.)

JOINT SUBMISSION

The United States of America and the defendant, Andre Rosado, by their respective undersigned counsel, hereby file this joint interim status report and request that the Court continue the interim status conference, currently scheduled for September 30, 2005, at 2 p.m., for thirty days until late October 2005.¹

1. Local Rule 116.3 Timing Requirements

At this time the parties do not seek relief from the timing requirements imposed by L.R. 116.3.

2. Expert Discovery

The government anticipates that, unless there is a stipulation regarding the controlled substances involved in this case, it will offer expert testimony regarding the narcotics seized in this case. The defendant does not presently request expert discovery, but reserves its right to seek such discovery pending disclosure of trial witnesses by the government.

¹ The undersigned counsel for the government has advised the Court's Courtroom Clerk that, when the Court and the parties scheduled the September 30, 2005 status date, counsel for the government forgot that he was scheduled to be out of state on vacation the last week of September.

3. Additional Discovery

All Rule 16 and automatic discovery materials have been provided or made available to defendant's counsel.

4. Speedy Trial Act

The parties have conferred on the periods excludable from all Speedy Trial Act calculations and believe that the following periods are excludable:

4/7/05-4/11/05	Arraignment and Gov't.'s motion for detention
4/11/05-4/25/05	Order for exclusion entered 4/11/05
4/25/05-6/22/05	Excluded per Court Order dated 5/23/05
6/22/05-7/27/05	Excluded per Court Order dated 6/24/05
7/27/05-8/31/05	Excluded per Court Order dated 7/27/05
8/31/05-9/30/05	Excluded per Court Order dated 9/14/05
9/30/05-date of the Final Status	Excluded as set forth below

As of the Final Status Conference, 0 days will have been counted and 70 days will remain under the Speedy Trial Act.

5. Trial

The government anticipates that the trial of this matter will last approximately 5 days.

6. Final Status Conference

The parties request that a Final Status Conference be scheduled for October 28, 2005, or as soon thereafter as is convenient for the Court. The parties request that the time from September 30, 2005 to and including the date of the Final Status Conference be excluded in the interests of justice.

Respectfully submitted,

MICHAEL J. SULLIVAN

United States Attorney

By: s/ PETER K. LEVITT
PETER K. LEVITT
Assistant U.S. Attorney
(617) 748-3355

For the Defendant

/s STEPHEN W. WIGHT
STEPHEN W. WIGHT

Dated: September 21, 2005